



Consumer Alert

You Do Have Some Control Over Who Calls You – How To Reduce Telemarketing Sales To Your Home

Telemarketing calls often interrupt consumers' family time and personal lives. In addition to the hassle of these telephone solicitations, millions of consumers lose money through telemarketing scams. Two governmental agencies provide protection from abusive and deceptive telemarketing sales practices: (1) the Federal Communications Commission (FCC) adopted rules implementing the Telephone Consumer Protection Act to protect consumers from receiving unsolicited telephone marketing calls; and (2) the Federal Trade Commission issued the Telemarketing Sales Rule to protect consumers from telephone fraud.



What consumer protection is provided by these rules?

It is illegal for a telemarketer to:

- call you if you have clearly stated that you want to be added to their **"Do Not Call"** list
- call before 8 a.m. and after 9 p.m.
- tie-up your home telephone line with autodialed and prerecorded voice messages
- neglect to tell you at the beginning of the call the company name and what they are selling; if it's a prize promotion, the caller must tell you that no purchase or payment is necessary to enter or win
- misrepresent any information or facts about their goods or services, earnings potential, profitability, risk, etc., or the nature of a prize in a prize-promotion scheme
- ask you for payment before telling you the **total** cost of goods, whether a sale is final or non-refundable, the odds of winning a prize, and any restrictions or conditions on getting the prize
- withdraw money from your checking account without your expressed, verifiable authorization; this authorization from you must be written or tape recorded and made available to your bank upon request
- request a fee before providing the service for credit repair or loan promotion, lie to get you to pay for **any** goods or services, and transmit unsolicited advertisements to fax machines

These are just some of the requirements of the rules.

What actions can you take?

- ✦ Ask the telephone solicitor to place your name on the caller's **"Do Not Call"** list. Also, obtain the name and address of the solicitor and send a written notice to verify the placement of your name on the "do not call" list. The caller must keep a record of your request for 10 years and may not make further telephone solicitations to your home.

Non-profit organizations are not required to maintain "do not call" lists. This FCC rule applies to residential telephone numbers, but **does not** apply to calls placed to business telephone numbers.

Contact the following state and/or federal offices with complaints:

Michigan Attorney General
Consumer Protection Division
PO Box 30213
Lansing, MI 48909
www.michigan.gov/ag

Federal Communication Commission
Enforcement Bureau
Consumer Complaints
Mail Stop 1600A2
Washington, DC 20554
888.225.5322
www.fcc.gov

Contact agencies that can erase your name from marketing lists, such as:

To reduce solicitations from national companies:

Telephone Preference Service
Direct Marketing Association
PO Box 9014
Farmingdale, NY 11735-9014

To remove your name from credit bureau mailing lists call – 888.567.8688

When calling this number, you will be asked to provide personal information, including your social security number, to process your request. Consider this when deciding whether to use this service.

Be aware that persons may obtain an unlisted or non-listed telephone number from a directory assistance operator. Non-published numbers cannot be obtained from a directory assistance operator. Some telemarketers, however, get around this barrier by purchasing lists from companies with whom you have an established business relationship. These marketing lists often include your name, address, and telephone number. In addition, be aware that your telephone number is displayed to the caller whenever you call a business or residence that has Caller ID service on their telephone.

For information on other telephone issues, contact the Michigan Public Service Commission (MPSC) at 800.292.9555 or at www.michigan.gov/mpscalerts.

